

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AZER SCIENTIFIC INCORPORATED,	:	
Plaintiff,	:	
v.	:	Civil No. 5:21-cv-02972-JMG
QUIDEL CORPORATION,	:	
Defendant.	:	

ORDER

AND NOW, this 20th day of July, 2023, upon consideration of Plaintiff Azer's Motion to Preclude Quidel's Witness Flanagan (ECF No. 120), Defendant Quidel's Motion for Judgment as a Matter of Law (ECF No. 127), Azer's Motion for Judgment as a Matter of Law (ECF No. 128), Azer's Motion to Alter Judgment as to Inclusion of Pre- and Post-Judgment Interest (ECF No. 133), and Quidel's Memorandum in Opposition to Quidel's Motion to Alter Judgment (ECF No. 142), any replies and exhibits thereto, and for the reasons provided in the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** as follows:

1. Azer's Motion to Preclude Quidel's Witness Flanagan (ECF No. 120) is **DENIED AS MOOT**;
2. Quidel's Motion for Judgment as a Matter of Law (ECF No. 127) is **DENIED**;
3. Azer's Motion for Judgment as a Matter of Law (ECF No. 128) is **DENIED**;
4. Azer's Motion to Alter Judgment as to Inclusion of Pre- and Post-Judgment Interest (ECF No. 133) is **GRANTED**. Accordingly, Azer is entitled to a total of \$1,063,229.97 in

prejudgment interest.¹ Azer is entitled to post-judgment interest under 28 U.S.C. § 1961(a) from the date of this Order.

BY THE COURT:

/s/ John M. Gallagher
JOHN M. GALLAGHER
United States District Court Judge

¹ Azer is entitled to prejudgment interest on the \$8,521,609.00 verdict at a rate of six-percent from the date of June 21, 2021. Annualized six-percent interest on the \$8,521,609.00 verdict amounts to a daily interest amount of \$1,400.81. There are 759 days between the date of the breach of contract on June 21, 2021 and the date of this Order awarding prejudgment interest. Thus Azer is entitled to a total of \$1,063,229.97 in prejudgment interest.